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Attorneys for Defendants
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED TORAH ED. & SCHOLARSHIP
FUND, INC.,

Plaintiff,

--against--

13-cv-3619 (RJS)

SOLOMON CAPITAL, LLC, et al.,
Defendants.

REPLY DECLARATION OF SHLOMO SHARBAT

Shlomo Sharbat, under penalties of perjury, hereby declares and states:

1. I am a defendant in this action and Trustee of defendants Solomon Capital 401(k) Trust and Solomon Capital Living Trust (the "Trust Defendants").
2. Plaintiff's representative (and my former attorney) Simon Schwarz does not contest that in 2009 I moved to Israel on an interim basis, and that during 2010 I applied for permanent immigrant status, becoming an Israeli citizen in August 2010. Since then I have resided and make my home in Israel. I have no intention to return to the United States.
3. While I do not deny that Solomon Capital, LLC, continues to do business in the United states, I manage that company from here in Israel. I simply have no address in the United States anymore. I gave up my office on 750 Lexington Avenue, New York, New York, in 2005, and my office at 654 Madison Avenue in 2009.
4. Attached hereto as Exhibit A is a copy of a communication from the IRS relating to my 2011 US tax return, showing my Israeli address. Attached as Exhibit B is a copy of a Solomon

Capital, LLC brokerage account (with under \$3000 in assets) again indicating my Israeli address. Attached as Exhibit C is a copy of a Solomon Capital 401K Trust brokerage statement (the account has under with under \$8000 in retirement assets) also indicating my Israeli address.

5. In response to the affidavits of Messrs. Beychok, Gold and Caridi, each one is a person with whom I have business disputes over commissions or other monies I claim from them, which I guess is why they choose to supply Mr. Schwarz with inaccurate affidavits. I categorically deny that I told them I left the US due to the SpongeTech prosecution or plan to return to live in the US at any time. I have never received any subpoena or other indication that I am at a subject of that investigation. SpongeTech arose after I left to Israel and is totally immaterial with respect to my plans to remain in Israel permanently.

6. Additional proof of my long term plan to remain here is the fact that my father and I (through a family limited liability company) are in the process of building a 5,200 sq. ft. family home in Savion, outside of Tel Aviv. I also brought my disabled brother here from the US in 2009 to live with us.

7. There is thus no evidence of any current intention on my part to return to the US. Israel is now my home and I have every intention of remaining here permanently.

December 10, 2013

Solomon Sharbat
Solomon (Shlomo) Sharbat